

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

BRUCE GORDON HILL

No. 03-10344-DPW

**EMERGENCY MOTION FOR STAY OF EXECUTION AND
RECOMMENDATION FOR DESIGNATION TO HALFWAY HOUSE**

As this Court may recall, it sentenced Mr. Hill to a sentence of one year and one day. This Court recommended that Mr. Hill serve his sentence at the minimum security camp at Fort Devens, Massachusetts. He is due to report on February 24, 2006.

Camps like Fort Devens are designed to house low or minimum risk inmates, and generally afford inmates a wider degree of freedom and movement among the facilities. The Bureau of Prisons, however, designated Mr. Hill to Brooklyn Metropolitan Detention Center ("Brooklyn MDC"). Brooklyn MDC is a far cry from the Fort Devens facility recommended by this Court. It is a high-rise, located in the heart of Brooklyn, and houses male and female pretrial detainees. And, unlike Fort Devens, Brooklyn MDC houses pretrial detainees of all ilks, including some of the most dangerous and violent detainees. Mr. Hill would have daily contact with such inmates, and could very likely be in physical danger.

A Bureau of Prisons contact explained that Mr. Hill would not be housed in a camp-type environment, but instead, he would be part of a cadre assigned to work within

the facility. In that capacity, he would have daily contact with all types of detainees housed at the facility.

Moreover, MDC Brooklyn has a documented history of being an unsafe facility. As detailed in an article attached hereto as Exhibit A, Brooklyn MDC is “a black hole...where immigrants disappear for months into extreme isolation and deprivation.” Inmates at Brooklyn MDC are often mistreated, some left alone all day in cells under bright lights, with no reading materials or anything else to occupy their time. See id. Inmates have alleged physical and verbal abuse at the hands of guards. See id. Conditions were so bleak that prison officials denied representatives of Amnesty International access to the facility. See id.

The New York Daily News has dubbed the facility “Brooklyn’s Abu Ghraib.” See Exh. B. This article also alleges abuse at the hands of correctional officers, including humiliation, sleep deprivation, and physical abuse. And these are not mere allegations – Department of Justice officials have acknowledged some instances of abuse. See id. In a commissioned report, improper training of staff was noted. For example, investigators discovered “a significant variance of opinion among MDC staff members regarding what restraint and escorting techniques were appropriate for compliant and noncompliant inmates.” Exh. C. Investigators also found evidence that staff verbally abused and demeaned inmates. See id.

Surely when this Court sentenced Mr. Hill and recommended his placement at Fort Devens, it did not envision Mr. Hill being subject to such horrid conditions. In order to effectuate this Court’s intent, Mr. Hill respectfully requests that this Court temporarily stay the execution of his sentence, and further requests that this Court recommended that

Mr. Hill be placed in a community confinement center, so that he may serve his sentence in a facility better suited to punish him for his crime of perjury.

AUSA Paul Levenson was not available for comment on this Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Richard M. Egbert, hereby certify that I caused to be filed electronically this 15th day of February, 2006.

/s/ Richard M. Egbert
Richard M. Egbert